

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSEPH ARTHUR RODRIGUEZ,

Plaintiff,

v.

M. S. EVANS, et al.,

Defendants.

No. C 05-05068 SBA (PR)

**ORDER GRANTING PLAINTIFF'S
SECOND REQUEST FOR EXTENSION
OF TIME TO FILE OPPOSITION TO
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

Before the Court is Plaintiff's notice of a change of address, which will be construed as his second request for an extension of time in which to file his opposition to Defendants' Motion for Summary Judgment. Plaintiff has previously been granted an extension of time to file his opposition, which is due on May 18, 2009.

In his notice of a change of address dated April 27, 2009, Plaintiff claims that he will soon be transferred to Centinela State Prison in Imperial, California. He states that at his current place of incarceration, California Correctional Institution, he has been denied access to the law library and to his legal property. He states, "Hopefully [in the] new institution the circumstances are less awkward and I can now finally respond to Defendants['] summary judgment." (Pl.'s Notice at 1.) Having read and considered Plaintiff's request, and good cause appearing,

IT IS HEREBY ORDERED that Plaintiff's second request for an extension of time is GRANTED. The time in which Plaintiff may file his opposition to Defendants' Motion for Summary Judgment will be extended up to and including **June 18, 2009**.

If Defendants wish to file a reply brief, they shall do so no later than **fifteen (15) days** after the date Plaintiff's opposition is filed.

No further extensions of time will be granted in this case absent exigent circumstances.

IT IS SO ORDERED.

DATED: 5/12/09


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5
6 RODRIGUEZ,
7 Plaintiff,
8

Case Number: CV05-05068 SBA

CERTIFICATE OF SERVICE

9 v.

10 EVANS et al,
11 Defendant.
12

13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
14 Court, Northern District of California.

15 That on May 14, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
16 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
17 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
18 located in the Clerk's office.

19 Joseph Arthur Rodriguez K66400
20 Centinela State Prison
21 P.O. Box 731
22 Imperial, CA 92251-0731

23 Dated: May 14, 2009

24 Richard W. Wieking, Clerk
25 By: LISA R CLARK, Deputy Clerk
26
27
28